

REMARKS

Before entry of this Response, claims 1-11 and 13-23 were pending in the application. Claims 6-10 and 17-22 have been withdrawn from consideration. After entry of this Response claims 1 – 5, 11, 13 – 16 and 23 remain pending under examination.

Applicant has carefully considered the Examiner's Action of August 27, 2008, and the references cited therein. The following is a brief summary of the Action.

Claim 23 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 1, 11 and 23 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1, 5 and 20 of copending Application Serial No. 10/325,140. Claims 1, 11 and 23 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of copending Application Serial No. 10/687,006. Claims 1 and 3 were rejected under 35 U.S.C. 103(a) as being unpatentable over Haynes '071 (WO 02/52071) in view of Maggio '134 (WO 00/65134 A1; US Patent No. 6,966,762 B1) and Epstein et al (USP 3,052,009). Claim 2 was rejected under 35 U.S.C. 103(a) as being unpatentable over Haynes '071 in view of Maggio '134 and Epstein et al as applied to claim 1, and further in view of Trimble (WO 93/21370). Claims 4 and 5 were rejected under 35 U.S.C. 103(a) as being unpatentable over Haynes '071 in view of Maggio '134 and Epstein et al as applied to claim 1, and further in view of Haynes '379 (USP 6,117,379). Claim 11 was rejected under 35 U.S.C. 103(a) as being unpatentable over Maggio '381 (FR 2,825,381; USP 6,974,316 B2) in view of Haynes '071 and Epstein et al. Claims 11 and 15 were

rejected under 35 U.S.C. 103(a) as being unpatentable over Schmit (WO 02/34990 A1; USPAP 2004/0028763 A1) in view of Epstein et al. Claim 13 was rejected under 35 U.S.C. 103(a) as being unpatentable over Maggio '381 in view of Haynes '071 and Epstein et al as applied to claim 11, and further in view of Trimble. Claim 13 was rejected under 35 U.S.C. 103(a) as being unpatentable over Schmit in view of Epstein et al as applied to claim 11, and further in view of Trimble. Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over Maggio '381 in view of Haynes '071 and Epstein et al as applied to claim 11 and further in view of Haynes '379. Claims 14 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Schmit and Epstein et al as applied to claim 11 and further in view of Haynes '379. Claim 23 was rejected under 35 U.S.C. 103(a) as being unpatentable over Maggio '134 in view of Davis et al (USP 6,660,218 B2).

For the reasons explained below, applicants respectfully traverse the rejection of claim 23 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

With respect to claim 23, the Office Action contends on pages 1 – 2 of the detailed action that:

the claim requires the force of attenuation to be provided “air consisting of attenuation air only entering . . . from the drawing slot sidewall.” The Examiner interprets this claim language to mean that no other attenuation air may contribute to the attenuation force. The Specification’s teaching is limited to requiring that some air come from only the opposing sidewall (see Specification, page 20, lines 24 and 25). Since Claim 23 does preclude additional attenuation air the Specification does not preclude additional attenuation air, the claim is therefore beyond the scope of the originally filed Specification.

The flaw in the above position is the failure to take into account the full breadth of the disclosure of applicants' specification. In accordance with 35 U.S.C. § 112, first paragraph, the originally filed claims constitute part of the written description of the invention. The original "wherein clause" of claim 23 in the application as originally filed stated:

wherein the pneumatic attenuation force is provided by attenuation air entering the drawing slot only from the drawing slot sidewall opposing the drawing slot sidewall upon which the electrostatic charging unit is located.

The "wherein clause" language in amended claim 23 is as follows (with the changes identified by underlining the additions and lining through the deletions):

wherein the pneumatic attenuation force is provided by air consisting of attenuation air only entering the drawing slot ~~only~~ from the drawing slot sidewall opposing the drawing slot sidewall upon which the electrostatic charging unit is located.

Thus, the present version of the "wherein clause" in claim 23 does not differ substantively from the original language in claim 23. Since the originally filed claim 23 was directed to this embodiment, it is respectfully submitted that the written description adequately apprised the person of ordinary skill that the applicants had possession of the embodiment described by claim 23.

Moreover, since the "wherein clause" of the originally filed claim 23 provides part of the written description of the invention, applicants have amended the specification in order to expressly state the language that was in original claim 23. Applicants' January 2008 Amendment After Final added the following text between lines 24 and 26 of page 15 of applicants' specification (emphasis added):

In one exemplary embodiment of a method of making a nonwoven web, the method comprises providing a plurality of fibers; subjecting the fibers to a pneumatic attenuation force in a drawing slot formed between opposed drawing slot sidewalls, the attenuation force imparting a velocity to the fibers; subjecting the fibers to an applied electrostatic charge, the electrostatic charge applied by an electrostatic charging unit located on one of the drawing slot sidewalls; reducing the velocity of the fibers in a diffusion chamber, the diffusion chamber being formed substantially between opposed diverging sidewalls; and thereafter collecting the fibers into a web on a moving forming surface. **In this exemplary embodiment, the pneumatic attenuation force is provided by attenuation air entering the drawing slot only from the drawing slot sidewall opposing the drawing slot sidewall upon which the electrostatic charging unit is located.**

Per paragraph 7 of the January 2008 Advisory Action, *this amendment was entered* for purposes of appeal.

Additionally, page 6 of applicants' June 2008 Appeal Brief provided the following basis for the wherein clause of claim 23 now in question (emphasis in original):

As schematically shown in FIGs. 1 and 4 and explained at page 19, lines 10 – 27, page 20, lines 1 – 4 and 16 – 27 and page 21, lines 1 – 3 of applicants' specification, in one embodiment the pneumatic attenuation force is provided by air consisting of attenuation air only entering the drawing slot from the drawing slot sidewall (410 in FIG. 4) opposing the drawing slot sidewall (420 in FIG. 4) upon which the electrostatic charging unit is located. Page 19, lines 19 – 21, of applicants' specification states in particular that high velocity air to attenuate the fibers can be admitted into the attenuation chamber from **either** of air plenums 414 and 424 (FIG. 4), i.e., only one of these plenums, **or both** of these plenums 414 and 424 (FIG. 4). Page 20, lines 23 – 25, of applicants' specification states in particular that it can be advantageous to utilize "attenuation air entering the fiber drawing unit **only** from the opposing sidewall of the attenuation chamber or fiber drawing slot." Emphasis added. Referring to FIG. 4, page 21, lines 2 – 3, of applicants' specification states in particular that "aspirating air may be

supplied by **only** nozzle gap 416 in the opposing sidewall 410.” Emphasis added.

In view of the above-identified portions of applicants’ disclosure (FIGs. 1 and 4; page 19, lines 10 – 27, page 20, lines 1 – 4 and 16 – 27 and page 21, lines 1 – 3), applicants respectfully submit that the person of ordinary skill was placed in possession of an embodiment in which the pneumatic attenuation force is provided by attenuation air entering the drawing slot **only** from the drawing slot sidewall opposing the drawing slot sidewall upon which the electrostatic charging unit is located. Accordingly, applicants respectfully submit that claim 23 satisfies the written description requirement of 35 U.S.C. § 112, first paragraph.

The provisional rejections of claims 1, 11 and 23 on the ground of nonstatutory obviousness-type double patenting over claim 1, 5 and 20 of copending Application Serial No. 10/325,140 and claim 1 of copending Application Serial No. 10/687,006 have been noted and will be addressed upon indication of allowance of the present application.

For the reasons explained below, applicants respectfully traverse the rejection of claims 1 and 3 under 35 U.S.C. 103(a) as being unpatentable over Haynes ‘071 in view of Maggio ‘134 and Epstein et al.

The method of making a nonwoven web as called for in claim 1 includes the step of providing a plurality of fibers and the step of subjecting the fibers to a pneumatic attenuation force in a drawing slot. The velocity of the fibers is reduced in a diffusion chamber that is spaced from an exit of the drawing slot in the direction of travel of the fibers. The diffusion chamber is formed substantially between opposed diverging side walls. The fibers are subjected to an applied electrostatic charge before the fibers enter

the diffusion chamber. The electrostatic charge is applied by two or more oppositely directed electrostatic charging units. Each of these electrostatic charging units includes an emitter device and a “target” or collector device and are “oppositely directed,” i.e., with at least one emitter device on each opposite side of the fibers so that an electrostatic charge is generated from opposite directions across the traveling path of the plurality of fibers. The fibers are then collected into a web on a moving forming surface.

As admitted on page 5 of the Office Action, the obviousness rejection based on the combination of Haynes '071 and Maggio '134 lacks an essential feature of claim 1, namely that the electrostatic charge is applied by two or more oppositely directed electrostatic charging units such that at least one emitter device from at least one charging unit is configured on each opposite side of the fibers so that the electrostatic charge is generated from opposite directions with respect to the direction of travel of the fibers. Haynes '071 describes and illustrates a single charging unit within the fiber draw unit that includes rows 20 of emitter pins that produce a corona discharge against the target electrodes 22. Neither Haynes '071 nor Maggio '134 discloses or suggests the use of a second one of these charging units oppositely oriented such that the pins 20 would be on the opposite side of the fibers.

In an attempt to overcome this deficiency, the Office Action contends (emphasis added):

Epstein teaches alternating the electrostatic charge from one side to another and back to the first side material (two or more oppositely directed electrostatic charging units such that **at least one emitter device** is configured on each side of the fibers so that an **electrostatic charge** is generated from opposite directions transverse to the

direction of travel of the plurality of fibers.) (See figs. 7 and 8), and further that the particular placement and arrangement of electrodes is familiar to the ordinary artisan (see col. 3, lines 39-44).

It would have prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Epstein into that of Haynes in order to provide the ability to vary the crimp to produce greater softness (Epstein, 3: 3-6).

The Examiner seems to suggest that one skilled in the art would incorporate Epstein et al into Haynes '071 so as to vary the crimp to produce greater softness.” This suggestion is not logical. Haynes '071 and Maggio '134 employ electrostatic charging units ***in a web forming process*** to charge individual fibers moving en masse in a streaming volume of fibers and make the fibers repel one another and thus separate the fibers and impose a preferential orientation of the fibers. As explained for example at Haynes '071 page 1, lines 15 – 17 (emphasis added):

the controlled application of **electrostatics provides separation of the fibers** or filaments and **directional distribution on the forming surface** to result in webs with desired preferential orientation and resulting web properties.

On the other hand, Epstein et al relates merely to a method and apparatus for crimping a continuously running solitary filament 1. ***Crimping of individual fibers is contrary to the explicit purpose of the charging units utilized in Haynes '071, namely to achieve separation of fibers and a desired directional distribution on the web forming surface.*** These objectives cannot be achieved if the fibers are individually crimped prior to depositing the fibers on the forming surface to make a web.

Epstein et al does not relate to forming a non-woven web. Instead, Epstein et al merely uses electrodes 7 that generate an electric field at regular time intervals

surrounding a single filament 1 that is running between a pair of take-off rollers 2 and a pair of take-up rollers 3. Epstein et al column 1, lines 61 – 66. The single filament 1 must be oriented at a precise location with respect to the electrodes and moving at a precise speed, which is controlled by the rollers 2, 3 that are contacting the filament 1 to maintain the filament 1 under precise tension. As stated at Epstein et al column 2, lines 23 – 27 (emphasis added):

It is also **required** in accordance with the invention, to **maintain filament 1** at the point of crimping **under a predetermined tension** which, in the present example, was maintained for a 60 denier filament of Nylon 6 at approximately 10 grams.

Moreover, the structure disclosed in Epstein et al is not up to the task attributed to it by the August 2008 Office Action. For the electrodes in Epstein et al do not generate electrostatic charges that will attach to the fibers. The Epstein et al electrodes merely produce an electric field that will attract in a particular direction, a body that already has a charge.

As to the Office Action's citation of Epstein et al FIGS. 7 and 8, Epstein et al column 3, lines 31 – 38, explains:

FIGS. 6 and 7 illustrate a circular type of electrode structure with here electrodes 15, 16, 17 arranged symmetrically around, and longitudinally staggered along, filament 1. Similarly, staggered or 120° – phase displaced pulses are applied to electrodes 15, 16 and 17 respectively as apparent from FIG. 8. As a result, helically shaped crimps will be obtained, as illustrated schematically in FIG. 9.

Thus, Epstein et al has nothing to teach the person of ordinary skill about arranging electrostatic charging units to apply electrostatic charge to each of a plurality of fibers in order to cause the fibers to separate from each other before the fibers are

collected on a moving forming surface to form a web. Epstein et al is contrary to the explicit objective of Haynes '071.

Applicants therefore respectfully submit that claims 1 and 3 are patentable under 35 U.S.C. 103(a) over Haynes '071 in view of Maggio '134 and Epstein et al.

For the reasons explained below, applicants respectfully traverse the rejection of claim 2 under 35 U.S.C. 103(a) as being unpatentable over Haynes '071 in view of Maggio '134 and Epstein et al as applied to claim 1, and further in view of Trimble.

Trimble fails to correct the deficiency noted above in Haynes '071 in view of Maggio '134 and Epstein et al as applied to claim 1. As per Trimble, page 15, lines 15 – 23 and Figs. 3 and 6, Trimble fails to dispose the pins 72 of any emitters on opposite sides of the fiber stream. Indeed, because this same deficiency is attributable to Haynes '071, Maggio '134 and Trimble, it appears more strongly than ever that disposing electrostatic charge emitters on opposite sides of the stream of a plurality of fibers was not appreciated by persons of ordinary skill in this art. Applicants therefore respectfully submit that claim 2 is patentable under 35 U.S.C. 103(a) over Haynes '071 in view of Maggio '134 and Epstein et al as applied to claim 1, and further in view of Trimble.

For the reasons explained below, applicants respectfully traverse the rejection of claims 4 and 5 under 35 U.S.C. 103(a) as being unpatentable over Haynes '071 in view of Maggio '134 and Epstein et al as applied to claim 1, and further in view of Haynes '379.

Haynes '379 does not provide an electrostatic charge emitter on each opposite side of a stream of fibers for the purpose of improving the degree of separation of the

fibers or imposing a preferential orientation on the fibers. Thus, Haynes '379 fails to correct the deficiency in Haynes '071 in view of Maggio '134 and Epstein et al as applied to claim 1 noted above. Applicants therefore respectfully submit that claim 4 is patentable under 35 U.S.C. 103(a) over Haynes '071 in view of Maggio '134 and Epstein et al as applied to claim 1, and further in view of Haynes '379.

Moreover, Haynes '379 does not say anything about making a **diverging** sidewall become a vortex generator. Haynes '379 FIG. 3 shows the vortex generating arrangements 10 as converging rather than diverging. Each of these deficiencies supports applicants' contention that claim 5 is patentable under 35 U.S.C. 103(a) over Haynes '071 in view of Maggio '134 and Epstein et al as applied to claim 1, and further in view of Haynes '379.

Applicants therefore respectfully submit that claims 4 and 5 are patentable under 35 U.S.C. 103(a) over Haynes '071 in view of Maggio '134 and Epstein et al as applied to claim 1, and further in view of Haynes '379.

For the reasons explained below, applicants respectfully traverse the rejection of claim 11 under 35 U.S.C. 103(a) as being unpatentable over Maggio '381 in view of Haynes '071 and Epstein et al.

Independent claim 11 calls for subjecting the fibers to, and charging the fibers with, an applied electrostatic charge while the fibers are in the diffusion chamber. The charge is applied by two or more oppositely directed electrostatic charging units wherein an emitter device of at least one of the units is located upon a first one of the diverging sidewalls in the diffusion chamber. A target device for at least another of the electrostatic charging units also is located on that same first one of the diverging

sidewalls. Thus, with this arrangement, the electrostatic charge is generated from opposite directions by the oppositely directed charging units between the diverging side walls with respect to the direction of travel of the plurality of fibers through the diverging chamber.

Maggio '381 (U.S. 6,974,316) differs from Maggio '134 in that Maggio '381 has one electrostatic charging unit disposed on one of the diverging sidewalls in the diffusion chamber in stead of in the drawing slot. The deficiencies in Maggio '134, Haynes '071 and Epstein et al have been discussed above, and they remain if Maggio '381 is substituted for Maggio '134. They fail to disclose or suggest to the person of ordinary skill, the placement of emitters on opposite sidewalls of the slot. Maggio '381 does not overcome their main deficiency in the placement of emitters on opposite walls. Accordingly, the combination of Maggio '381 in view of Haynes '071 and Epstein et al suffers from this same deficiency discussed above. They fail to disclose or suggest to the person of ordinary skill, the placement of emitters of electrostatic charge on opposite diverging sidewalls to apply electrostatic charges to fibers moving in a stream of a plurality of fibers.

Applicants therefore respectfully submit that claim 11 is patentable under 35 U.S.C. 103(a) over Maggio '381 in view of Haynes '071 and Epstein et al.

For the reasons explained below, applicants respectfully traverse the rejection of claims 11 and 15 under 35 U.S.C. 103(a) as being unpatentable over Schmit in view of Epstein et al.

The apparatus of Schmit (U.S. Pub. No. 2004/0028763) discloses an arrangement wherein a single charging unit is configured within the diffusion chamber.

In particular, referring to Schmit Figs. 2 and 3, the electrode needles 11 and the target electrode or plate 8 constitute a **single** charging unit. Thus, Schmit elements 11 and 8 do not satisfy the requirements of claim 11 calling for **two** such charging units to be oppositely disposed. Moreover, Schmit adds no more than does Maggio '381 and Haynes '071 and thus in combination with Epstein et al continues to suffer from the deficiency noted above. They fail to disclose or suggest to the person of ordinary skill, the placement of emitters of electrostatic charges on opposite diverging sidewalls to apply electrostatic charges to fibers moving in a stream of a plurality of fibers.

Additionally, claim 15 requires the diverging sidewalls to remain **unvented**. However, Schmit appears to vent the diverging sidewalls 14, 15 at openings 16 per Schmit paragraph [0021], lines 2 – 5 and FIG. 2 thereof. In trying to overcome this Schmit deficiency, the Office Action contends that (emphasis added):

Schmit teaches that the diffusers can have no openings **(unvented) (see [0010])**. Though Schmit states “preferably” with respect to having vents, **this is merely preferred embodiment**.

However, Schmit never describes in words nor depicts in drawings an unvented embodiment, and Schmit [0010] merely states (emphasis added):

[0010] **Preferably, at least one lateral opening and up to five lateral openings** are provided on one of the walls or on both walls of the diffuser. These openings, which extend over the entire length of the diffuser and run to the outside, **make it possible to balance the static pressure** established in the diffuser, thereby preventing the streams of air separating along the walls. These openings may have widths of 3 to 10 mm.

Applicants respectfully submit that the reference to “preferably” is intended to apply to the number of openings, not to whether there are any openings at all.

Applicants' contention is consistent with the additional statement of the opening(s)' function, which is to make it possible to balance the static pressure. Without venting, there can be no balancing of the static pressure. Thus, the August 2008 Office Action's contention of "unvented" is not consistent with the Schmit's desire to be able to balance the static pressure. Applicants therefore respectfully submit that claim 15 is patentable under 35 U.S.C. 103(a) over Schmit in view of Epstein et al for this additional reason.

Applicants therefore respectfully submit that claims 11 and 15 are patentable under 35 U.S.C. 103(a) over Schmit in view of Epstein et al.

For the reasons explained below, applicants respectfully traverse the rejection of claim 13 under 35 U.S.C. 103(a) as being unpatentable over Maggio '381 in view of Haynes '071 and Epstein et al as applied to claim 11, and further in view of Trimble.

For the reasons already explained above, Maggio '381 in view of Haynes '071 and Epstein et al fail to disclose or suggest to the person of ordinary skill, the placement of electrostatic charge emitters on opposite diverging sidewalls. Moreover, as noted above, Trimble is not capable of correcting such deficiency. Applicants therefore respectfully submit that claim 13 is patentable under 35 U.S.C. 103(a) over Maggio '381 in view of Haynes '071 and Epstein et al as applied to claim 11, and further in view of Trimble.

For the reasons explained below, applicants respectfully traverse the rejection of claim 13 under 35 U.S.C. 103(a) as being unpatentable over Schmit in view of Epstein et al as applied to claim 11, and further in view of Trimble.

As noted above, Schmit in view of Epstein et al as applied to claim 11 fails to disclose or suggest to the person of ordinary skill, the placement of electrostatic charge

emitters on opposite diverging sidewalls. As further noted above, Trimble fails to overcome this deficiency. Applicants therefore respectfully submit that claim 13 is patentable under 35 U.S.C. 103(a) over Schmit in view of Epstein et al as applied to claim 11, and further in view of Trimble.

For the reasons explained below, applicants respectfully traverse the rejection of Claim 14 under 35 U.S.C. 103(a) as being unpatentable over Maggio '381 in view of Haynes '071 and Epstein et al as applied to claim 11 and further in view of Haynes '379.

As noted above, Maggio '381 in view of Haynes '071 and Epstein et al as applied to claim 11 fail to disclose or suggest to the person of ordinary skill, the placement of electrostatic charge emitters on opposite diverging sidewalls. As further noted above in connection with Haynes '071 in view of Maggio '134 and Epstein et al as applied to claim 1, Haynes '379 fails to overcome this deficiency of the placement of electrostatic charge emitters on opposite sidewalls. Applicants therefore respectfully submit that claim 14 is patentable under 35 U.S.C. 103(a) over Maggio '381 in view of Haynes '071 and Epstein et al as applied to claim 11 and further in view of Haynes '379.

For the reasons explained below, applicants respectfully traverse the rejection of claims 14 and 16 under 35 U.S.C. 103(a) as being unpatentable over Schmit and Epstein et al as applied to claim 11 and further in view of Haynes '379.

For the reasons explained above, the combination of Schmit and Epstein et al as applied to claim 11 is deficient in disclosing or suggesting the placement of electrostatic charge emitters on opposite diverging sidewalls. For the further reasons explained above, Haynes '379 does not overcome this deficiency.

Claim 16 depends on claim 11, and therefore applicants respectfully submit that claim 16 is patentable under 35 U.S.C. 103(a) over Schmit in view of Epstein et al for at least the same reasons expressed above regarding claim 11. For the further reasons explained above, Haynes '379 does not overcome the deficiency in Schmit in view of Epstein et al.

Moreover, Haynes '379 does not say anything about making a **diverging** sidewall become a vortex generator. Indeed, as to claim 16, Haynes '379 FIG. 3 shows the vortex generating arrangements 10 as converging rather than diverging.

Applicants therefore respectfully submit that claims 14 and 16 are patentable under 35 U.S.C. 103(a) over Schmit and Epstein et al as applied to claim 11 and further in view of Haynes '379.

For the reasons explained below, applicants respectfully traverse the rejection of claim 23 under 35 U.S.C. 103(a) as being unpatentable over Maggio '134 in view of Davis et al.

Independent claim 23 requires that the pneumatic attenuation force is provided by air consisting of attenuation air only entering the drawing slot from the drawing slot side wall that opposes the drawing slot side wall upon which the electrostatic charging unit is located. Maggio '134 does not have an electrostatic discharge unit in the slot. The Maggio '134 electrostatic discharge unit is only disposed beneath the diffuser or in the diffuser, but not in the slot.

Davis et al does not include an electrostatic charging unit and thus cannot suggest an orientation of its air nozzle 32 with respect to an electrostatic charging unit.

Moreover, as shown in Davis et al FIG. 1, the air nozzle 32 is directed toward

plate 26, which forms part of a diverging passage. Thus, notwithstanding the misleading terminology in Davis et al, it is apparent that the Davis et al nozzle 32 is used in the diffuser portion of the Davis et al apparatus, not in the slot as that term slot must be interpreted as it is used in applicants' specification and claim 23. Thus, Davis et al does not suggest an orientation of its air nozzle 32 that provides attenuation air to the slot in any respect.

In view of these deficiencies, the Maggio '134 and Davis et al combination fails to disclose or suggest attenuation air only entering the drawing slot from the drawing slot side wall that opposes the drawing slot side wall upon which the electrostatic charging unit is located.

Applicants therefore respectfully submit that claim 23 is patentable under 35 U.S.C. 103(a) over Maggio '134 in view of Davis et al.

Applicants respectfully request reconsideration and reexamination of claims 1 – 5, 11, 13 – 16 and 23 as presented herein, and submit that these claims are in condition for allowance and should be passed to issue.

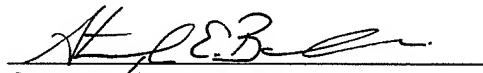
With the present Response, it is respectfully submitted that all of the claims under consideration are allowable. Upon indication of the allowability of such claims, the withdrawn claims will be cancelled and the provisional double patenting rejection will be overcome with a properly executed Terminal Disclaimer.

If any fee or extension of time is required to obtain entry of this Amendment, the undersigned hereby petitions the Commissioner to grant any necessary time extension and authorizes charging Deposit Account No. 04-1403 for any such fee not submitted herewith.

Respectfully submitted,

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